

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA**

JOEL GLASTON MUIR,
Petitioner,

CIVIL ACTION

v.

**CYNTHIA LINK, Superintendent of SCI-
Graterford,
THE DISTRICT ATTORNEY OF THE
COUNTY OF MONTGOMERY, and
THE ATTORNEY GENERAL OF THE
STATE OF PENNSYLVANIA,**
Respondents.

NO. 16-2256

ORDER

AND NOW, this 23rd day of March, 2018, upon consideration of counseled Amended Petition Under 28 U.S.C. § 2254 for Writ of Habeas Corpus and Petitioner's Memorandum of Law in Support of His Amended Habeas Petition filed by petitioner, Joel Glaston Muir (Document No. 19, filed January 3, 2017), the Report and Recommendation of United States Magistrate Judge Lynne A. Sitarski dated January 12, 2018 (Document No. 31), Petitioner's Objections to the Magistrate's Report & Recommendation to Dismiss Petitioner's Amended Habeas Corpus Petition (Document No. 33, filed January 25, 2018), and the record in this case, **IT IS ORDERED** as follows:

1. The Report and Recommendation of United States Magistrate Judge Lynne A. Sitarski dated January 12, 2018, is **APPROVED** and **ADOPTED**;
2. Petitioner's Objections to the Magistrate's Report & Recommendation to Dismiss Petitioner's Amended Habeas Corpus Petition are **OVERRULED** on the ground that all of the Objections are addressed in the Report and Recommendation, with which the Court agrees. Any arguments with respect to the Objections not specifically addressed in the Report and

Recommendation of United States Magistrate Judge Lynne A. Sitarski dated January 12, 2018, are overruled on the ground that, individually and considered together, they are insufficient to warrant the granting of the requested relief;

3. Amended Petition Under 28 U.S.C. § 2254 for Writ of Habeas Corpus filed by petitioner, Joel Glaston Muir, is **DENIED** for the reasons stated in the Report and

Recommendation of United States Magistrate Judge Lynne A. Sitarski dated January 12, 2018;

4. Petitioner's request for an evidentiary hearing is **DENIED**; and,

5. A certificate of appealability will not issue because reasonable jurists would not debate this Court's decision that the petition does not state a valid claim of the denial of a constitutional right. *See* 28 U.S.C. § 2253(c)(2); *Slack v. McDaniel*, 529 U.S. 473, 484 (2000).

BY THE COURT:

/s/ **Hon. Jan E. DuBois**

DuBOIS, JAN E., J.